

I hereby submit my objections to this proposed rule. Put simply, I do not believe it is in the public's or in government's best interest to attempt wiretapping capabilities on the telecommunications infrastructure of the greater Internet in the United States. My reasoning is as follows.

1) Impracticality. Insofar as theory applies to implementation, tapping a telephone call is straightforward because with few exceptions, phone calls are between two parties and require a persistent connection. Internet communications can, in their various forms, involve packet broadcasting and connectionless communications. This would require a far-reaching system able to handle the immense computation necessary for passively observing all data being transmitted on a given network in order to pick out the desired communication. Furthermore, the Internet backbones are built upon sophisticated routing protocols that dynamically determine the best path for a packet to take to its destination. This means that (especially in a connectionless protocol), there is no guarantee that the wiretapper will be able to observe an unbroken communication on whatever section of backbone it's listening on.

2) Encryption. The government tried to regulate encryption and failed. There will be no key escrow, and all the evidence suggests that no three-letter agency is factoring out large primes. Attempts to force backbone providers to allow government wiretaps will, without question, trigger an intense market demand for client software with built-in encryption. The next two years is going to see the adoption of an industry standard of authenticated email (along the lines of the Sender-ID proposal that was recently struck down), providing the perfect piggy-back for widespread use of public/private key encryption by ordinary users.

3) Civil Liberties. I won't paint this topic with rhetoric because it should be pretty clear what the issues are here. The implications of a series of laws that allow federal agents to increasingly observe its citizens' personal and business communications are appalling at best and un-constitutional at worst. Such a regulation as you propose, combined with the PATRIOT Act, the DMCA and their impending successors, does little to catch terrorists and does everything to spy on everyday Americans.

Thank you for your time, as a fellow American,

-Brian J. Cohen